for the plant-pesticide *Bacillus thuringiensis* subsp. *tolworthi* Cry9C protein and the genetic material necessary for the production of this protein in or on all raw plant agricultural commodities.

D. Aggregate Exposure

Since the Cry9C protein is expressed in plant tissues, dermal or inhalation will be negligible to non-existent. Drinking water is unlikely to be contaminated with Cry9C protein due to the rapid degradation of plant materials in the soil. Processed plant products may allow for low levels of exposure to the Cry9C protein, but the lack of mammalian toxicity and the lack of sequence homology to known toxins or allergens, has already been demonstrated.

E. Cumulative Exposure

The unique mode-of-action of *Bt* proteins in general, coupled with the lack of mammalian toxicity for the Cry9C protein provides no basis for the expectation of cumulative exposure with other compounds.

F. Safety Determination

Bt microbial pesticides containing Cry proteins have been applied for more than 30 years to food and feed crops consumed by the U.S. population. There have been no human safety problems attributed to Cry proteins. The extensive mammalian toxicity studies performed to support the safety of *Bacillus thuringiensis* - containing pesticides clearly demonstrate that the tested isolates are not toxic or pathogenic (McClintock, et al., 1995, Pestic. Sci. 45:95-105). The lack of mammalian toxicity or allergenic properties of the Cry9C protein provides support for our request of an exemption from the requirement of a tolerance set forth in this petition. Non-dietary exposure of infants, children or the US population in general, to the Cry9C protein expressed in plant materials, are not expected due to the uses of this product within agricultural settings.

G. Existing Tolerances

An exemption from the requirement of a tolerance for residues of the insecticide, *Bacillus thuringiensis* subspecies *tolworthi* Cry9C protein and the genetic material necessary for its production in corn for feed use only; as well as in meat, poultry, milk, or eggs resulting from animals fed such feed was issued on May 22, 1998.

[FR Doc. 99–8260 Filed 4–6–99; 8:45 am]
BILLING CODE 6560–50–F

ENVIRONMENTAL PROTECTION AGENCY

[OPP–50857; FRL–6074–1]

Issuance of an Experimental Use Permit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted an experimental use permit (EUP) to the following applicant. The permit is in accordance with, and subject to, the provisions of 40 CFR part l72, which defines EPA procedures with respect to the use of pesticides for experimental use purposes.

FOR FURTHER INFORMATION CONTACT: By mail: Maria Rodriguez, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: 1921 Jefferson Davis Highway, Rm. 251, CM #2, Arlington, VA, 703–305–6710, e-mail: rodriguez.maria@epa.gov.

SUPPLEMENTARY INFORMATION: EPA has issued the following EUP:

59981–EUP–1. Issuance. Fleming Laboratories, Inc., P.O. Box 34384, Charlotte, NC 28234. This experimental use permit allows the use of 313 pounds of the plant growth regulator (4-aminophenyl) arsonic acid on 50 acres of grapefruit to evaluate enhancement of ripening. The program is authorized only in the State of Florida. The experimental use permit is effective from February 28, 1999 to February 28, 2001. A tolerance has been established for residues of the active ingredient in or on grapefruit.

Persons wishing to review this EUP are referred to the designated contact person. Inquires concerning this permit should be directed to the person cited above. It is suggested that interested persons call before visiting the EPA office, so that the appropriate file may be made available for inspection purposes from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

Authority: 7 U.S.C. 136.

List of Subjects

Environmental protection, Experimental use permits.

Dated: March 30, 1999.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 99–8634 Filed 4–6–99; 8:45 am]
BILLING CODE 6560–50–F

ENVIRONMENTAL PROTECTION AGENCY

[OPP–00591; FRL–6071–1]

Pesticides; Policy Issues Related to the Food Quality Protection Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: To assure that EPA's policies related to implementing the Food Quality Protection Act (FQPA) are transparent and open to public participation, EPA is soliciting comments on a draft policy paper entitled ''Data for Refining Anticipated Residue Estimates Used in Dietary Risk Assessments for Organophosphate Pesticides.'' This notice is the sixth in a series concerning science policy documents related to FQPA and developed through the Tolerance Reassessment Advisory Committee (TRAC).

DATES: Submit written comments for this policy paper, identified by docket control number OPP–00591, on or before June 7, 1999.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I.C. of the ''SUPPLEMENTARY INFORMATION'' section of this document.

FOR FURTHER INFORMATION CONTACT: Margaret Rice, Environmental Protection Agency (7508), 401 M St., SW., Washington, DC 20460; telephone number: (703) 308–8039; fax: 703–308–8041; e-mail: rice.margaret@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does This Notice Apply to Me?

You may be potentially affected by this notice if you manufacture or formulate pesticides. Potentially affected categories and entities may include, but are not limited to: